



UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA

In Re Mary Keehan

Case No. 08-23220-C-7

Debtor.

Roger Bryenton

Adversary Proceeding No. 13-02211

Plaintiff,

vs. Mary Keehan

Defendant.

**MEMORANDUM RE: DEFAULT PAPERS**

TO: Ken R. Whittal-Scherfee

The item(s) indicated below require your attention for us to process your requested relief:

- ☐ 1. No Request for Entry of Default by Plaintiffs, form EDC 3-726, was submitted.
- ☐ 2. No Entry of Default and Order Re: Default Judgment Procedures, form EDC 3-727, was submitted.
- ☐ 3. No Certificate of Service re: Issuance of Summons was submitted.
- ☐ 4. The declaration/affidavit does not set forth the following required facts:
  - The date the summons was issued, or the summons issued date stated in the declaration/affidavit is incorrect;
  - A statement that the court has fixed a deadline for the filing of the answer or motion, or that the 30 or 35 day time limit applies;
  - The date the complaint was served on the defendant, or the date of service of the complaint on the defendant stated in the declaration/affidavit is incorrect;
  - A statement that no answer or motion has been received within the time limit fixed by the court or by Bankruptcy Rule 7012(a);
  - A statement that the defendant is not entitled to the benefits of the Servicemembers Civil Relief Act of 2003 (50 U.S.C. Appendix 501 et seq.); and/or
  - A statement that the defendant is not an infant or incompetent person.
- ☐ 5. The Summons and Complaint were not served within 14 days after the Summons was issued.
- ☒ 6. The defendant is a debtor and the debtor's attorney was not served. Fed. R. Bankr. P. 7004(g).
- ☐ 7. The defendant/debtor was not served at the address shown in their bankruptcy case.
- ☐ 8. An Answer or Motion was filed on \_\_\_\_\_ and the matter must now be set for a hearing before the judge.
- ☐ 9. An Order Extending or Reducing the Time for Filing an Answer was filed on \_\_\_\_\_ and the deadline for filing an Answer is \_\_\_\_\_. Your pleadings should be resubmitted to the court, if appropriate, upon expiration of the deadline.
- ☐ 10. Other:

DATED: 11/14/13

EDC 4-100 (Rev. 10/1/12)

By: Leticia Beltran  
Deputy Clerk  
U.S. Bankruptcy Court  
2500 Tulare Street, Suite 2501  
Fresno, CA 93721-1318  
(559) 499-5800